

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	<b>:</b>	<b>CRIMINAL NO. <u>05 - _____</u></b>
<b>v.</b>	<b>:</b>	<b>DATE FILED _____</b>
<b>DARNELL GASKINS</b>	<b>:</b>	<b>21 U.S.C. § 846 (conspiracy to</b>
<b>MICHAEL JONES,</b>	<b>:</b>	<b>distribute cocaine base and marijuana - 1</b>
<b>a/k/a "Robert Jones,"</b>	<b>:</b>	<b>count)</b>
<b>BRYANT YOUNGER</b>	<b>:</b>	<b>21 U.S.C. § 841(a)(1) (distribution of and</b>
<b>ERIC HARRIS</b>	<b>:</b>	<b>possession with intent to distribute</b>
<b>JAMES PALMER</b>	<b>:</b>	<b>cocaine base ("crack") and marijuana -</b>
<b>DUANE JONES</b>	<b>:</b>	<b>16 counts)</b>
	<b>:</b>	<b>21 U.S.C. § 860 (possession of</b>
	<b>:</b>	<b>cocaine, and cocaine base ("crack") with</b>
	<b>:</b>	<b>intent to distribute within 1,000 feet of a</b>
	<b>:</b>	<b>school - 2 counts)</b>
	<b>:</b>	<b>18 U.S.C. § 922(g)(1) (possession of</b>
	<b>:</b>	<b>firearm by convicted felon - 1 count)</b>
	<b>:</b>	<b>18 U.S.C. § 924(c) (Use of firearm in</b>
	<b>:</b>	<b>furtherance of drug trafficking crime -</b>
	<b>:</b>	<b>2 counts)</b>
	<b>:</b>	<b>Notices of forfeiture (4)</b>

**I N D I C T M E N T**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

From at least on or about February 23, 2004 to on or about April 29, 2004, at  
Philadelphia, in the Eastern District of Pennsylvania, defendants

**DARNELL GASKINS,  
MICHAEL JONES,  
a/k/a "Robert Jones,"  
BRYANT YOUNGER,  
ERIC HARRIS,  
JAMES PALMER, and**

## **DUANE JONES**

conspired and agreed, together, and with others known and unknown to the grand jury, to knowingly and intentionally distribute more than 50 grams of a mixture or substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance and a mixture or substance containing a detectable amount of marijuana, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

## **MANNER AND MEANS**

It was part of the conspiracy that:

1. Defendants **DARNELL GASKINS** and **MICHAEL JONES** supplied defendants **BRYANT YOUNGER, ERIC HARRIS, JAMES PALMER, and DUANE JONES** with cocaine base (“crack”) and marijuana, which they and other persons unknown to the grand jury distributed and sold in the vicinity of Croskey and Lippincott Streets in Philadelphia.

## **OVERT ACTS**

In furtherance of the conspiracy and to accomplish its objects, the following overt acts, among others, were committed in the Eastern District of Pennsylvania and elsewhere:

1. On or about February 23, 2004, in the vicinity of the 3000 block of Fox Street in Philadelphia, defendant **ERIC HARRIS** sold approximately 25 grams of cocaine base (“crack”) to a person known to the grand jury.

2. On or about March 3, 2004, in the vicinity of the 3000 block of Fox Street in Philadelphia, defendant **ERIC HARRIS** sold approximately 25 grams of cocaine base (“crack”) to a person known to the grand jury.

3. On or about March 17, 2004, on the 3100 block of Croskey Street in

Philadelphia, defendant **JAMES PALMER** sold approximately .5 grams of marijuana to a person known to the grand jury.

4. On or about March 23, 2004, defendants **MICHAEL JONES, JAMES PALMER and DUANE JONES** attempted to follow a Philadelphia Police officer who unsuccessfully attempted to make an undercover drug buy in the vicinity of Lippincott and Croskey Streets in Philadelphia

5. On or about March 26, 2004, in front of 3117 N. Croskey Street in Philadelphia, defendant **JAMES PALMER** sold approximately .6 grams of marijuana to a person known to the grand jury.

6. On or about March 29, 2004, at 3115 N. Croskey Street in Philadelphia, defendant **BRYANT YOUNGER** sold approximately 212 grams of marijuana, which he received from defendant **MICHAEL JONES**, to a person known to the grand jury.

7. On or about April 9, 2004, in front of 3115 N. Croskey Street in Philadelphia, defendant **BRYANT YOUNGER** sold approximately 211 grams of marijuana, which he received from defendant **MICHAEL JONES**, to a person known to the grand jury.

8. On or about April 15, 2004, defendant **DARNELL GASKINS** drove defendant **ERIC HARRIS** to the 3000 block of Fox Street in Philadelphia, where **HARRIS** sold approximately 25 grams of cocaine base ("crack") to a person known to the grand jury.

9. On or about April 19, 2004, defendant **BRYANT YOUNGER** arranged for the sale of approximately 25 grams of cocaine to a person known to the grand jury, which

was completed by defendant **MICHAEL JONES** in front of 3115 N. Croskey Street, Philadelphia.

10. On or about April 26, 2004, defendant **DARNELL GASKINS** drove defendant **ERIC HARRIS** to the 3000 block of Fox Street in Philadelphia, where **HARRIS** sold approximately 25 grams of cocaine base (“crack”) to a person known to the grand jury.

All in violation of Title 21, United States Code, Section 846.

**COUNTS TWO THROUGH TEN**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about the dates set forth below, at Philadelphia, in Eastern District of Pennsylvania, the defendants identified below knowingly and intentionally distributed, and aided and abetted the distribution of, a mixture or substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance, and marijuana, a Schedule I controlled substance, in the approximate amounts listed below:

<b><i>COUNT</i></b>	<b><i>DATE</i></b>	<b><i>DEFENDANT(S)</i></b>	<b><i>CONTROLLED SUBSTANCE &amp; APPROXIMATE QUANTITY</i></b>
TWO	02/23/04	<b>ERIC HARRIS</b>	Cocaine base (“crack”), more than 5 grams (approximately 25 grams)
THREE	03/03/04	<b>ERIC HARRIS</b>	Cocaine base (“crack”), more than 5 grams (approximately 25 grams)
FOUR	03/17/04	<b>JAMES PALMER</b>	Marijuana
FIVE	03/26/04	<b>JAMES PALMER</b>	Marijuana
SIX	03/29/04	<b>BRYANT YOUNGER and MICHAEL JONES, a/k/a “Robert Jones”</b>	Marijuana (approximately 212 grams)
SEVEN	04/09/04	<b>BRYANT YOUNGER and MICHAEL JONES a/k/a “Robert Jones”</b>	Marijuana (approximately 211 grams)
EIGHT	04/15/04	<b>DARNELL GASKINS and ERIC HARRIS</b>	Cocaine base (“crack”), more than 5 grams (approximately 25 grams)
NINE	04/19/04	<b>BRYANT YOUNGER and MICHAEL JONES a/k/a “Robert Jones”</b>	Cocaine base (“crack”), more than 5 grams (approximately 25 grams)
TEN	04/26/04	<b>DARNELL GASKINS and ERIC HARRIS</b>	Cocaine base (“crack”), more than 5 grams (approximately 25 grams)

All in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A), 841(b)(1)(B) and 841(b)(1)(C), and Title 18, United States Code, Section 2.

**COUNTS ELEVEN THOUGH SEVENTEEN**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about the dates set forth below, at Philadelphia, in Eastern District of Pennsylvania, the defendants identified below knowingly and intentionally possessed with the intent to distribute a mixture or substance containing a detectable amount of cocaine base (“crack”) and cocaine, Schedule II controlled substances, and marijuana, a Schedule I controlled substance, in the approximate amounts listed below:

<b><i>COUNT</i></b>	<b><i>DATE</i></b>	<b><i>DEFENDANT(S)</i></b>	<b><i>CONTROLLED SUBSTANCE &amp; APPROXIMATE QUANTITY</i></b>
ELEVEN	04/29/04	<b>DARNELL GASKINS</b>	Cocaine base (“crack”), more than 50 grams, (approximately 54 grams)
TWELVE	04/29/04	<b>MICHAEL JONES, a/k/a “Robert Jones,” and DUANE JONES</b>	Cocaine base (“crack”), more than 50 grams, (approximately 179 grams)
THIRTEEN	04/29/04	<b>MICHAEL JONES, a/k/a “Robert Jones,” and DUANE JONES</b>	Cocaine (10 grams)
FOURTEEN	04/29/04	<b>MICHAEL JONES, a/k/a “Robert Jones,” and DUANE JONES</b>	Marijuana (18 grams)
FIFTEEN	04/29/04	<b>BRYANT YOUNGER</b>	Cocaine base (“crack”) (less than 5 grams)
SIXTEEN	04/29/04	<b>ERIC HARRIS</b>	Cocaine (5 grams)
SEVENTEEN	04/29/04	<b>ERIC HARRIS</b>	Marijuana (119 grams)

All in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A), 841(b)(1)(B), and 841(b)(1)(C) and Title 18, United States Code, Section 2.

**COUNT EIGHTEEN**

**THE GRAND JURY FURTHER CHARGES THAT:**

\_\_\_\_\_ On or about April 29, 2004, at Philadelphia, in the Eastern District of Pennsylvania, defendants

**MICHAEL JONES,  
a/k/a “Robert Jones,” and  
DUANE JONES**

knowingly and intentionally possessed with intent to distribute more than 50 grams, that is, approximately 179 grams, of a mixture or substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance, within one thousand feet of the real property comprising the John Wister Elementary School, a public school, located at 67 E. Brighthurst Street, Philadelphia, Pennsylvania, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

\_\_\_\_\_ In violation of Title 21, United States Code, Section 860(a).



**COUNT NINETEEN**

**THE GRAND JURY FURTHER CHARGES THAT:**

\_\_\_\_\_ On or about April 29, 2004, at Philadelphia, in the Eastern District of Pennsylvania, defendant

**ERIC HARRIS**

knowingly and intentionally possessed with intent to distribute approximately 5 grams of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance, within one thousand feet of the real property comprising the John Whitting Elementary School, a public school, located at 3001 N. 27<sup>th</sup> Street, Philadelphia, Pennsylvania, in violation of Title 21, United States Code, Section 841(a)(1).

\_\_\_\_\_ In violation of Title 21, United States Code, Section 860(a).

**COUNT TWENTY**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about April 29, 2004, at Philadelphia, in the Eastern District of  
Pennsylvania, defendants

**MICHAEL JONES,  
a/k/a “Robert Jones,” and  
DUANE JONES**

having been convicted of a crime punishable by imprisonment for a term exceeding one year,  
knowingly possessed, in and affecting commerce, firearms, that is, a .40 caliber Taurus  
semiautomatic pistol, serial no. SVD73849, and a .38 caliber David Inc., Model P380,  
semiautomatic pistol, serial no. AP366238.

In violation of Title 18, United States Code, Sections 922(g)(1) and 924(e).

**COUNT TWENTY-ONE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about April 29, 2004, at Philadelphia, in the Eastern District of Pennsylvania, defendants

**MICHAEL JONES,  
a/k/a “Robert Jones,” and  
DUANE JONES**

knowingly and intentionally possessed firearms, that is, a .40 caliber Taurus semiautomatic pistol, serial no. SVD73849, and a .38 caliber David Inc., Model P380, semiautomatic pistol, serial no. AP366238, in furtherance of drug trafficking crimes for which they may be prosecuted in a court of the United States, that is, conspiracy to distribute cocaine base (“crack”) and marijuana, Schedule II and Schedule I controlled substances, in violation of Title 21, United States Code, Section 846, and possession with the intent to distribute of cocaine base (“crack”) and cocaine, and marijuana, Schedule II and Schedule I controlled substances, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

In violation of Title 18, United States Code, Section 924(c)(1).

**COUNT TWENTY-TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about April 29, 2004, at Philadelphia, in the Eastern District of Pennsylvania, defendant

**DARNELL GASKINS**

knowingly and intentionally possessed firearms, that is, a silver .38 caliber revolver, serial number W335549, and a .40 caliber Berreta semiautomatic pistol, serial number SN012847, in furtherance of drug trafficking crimes for which he may be prosecuted in a court of the United States, that is, conspiracy to distribute cocaine base (“crack”) and marijuana, Schedule II and Schedule I controlled substances, in violation of Title 21, United States Code, Section 846, and possession with the intent to distribute of cocaine base (“crack”), a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

In violation of Title 18, United States Code, Section 924(c)(1).

## NOTICE OF FORFEITURE

### **THE GRAND JURY FURTHER CHARGES THAT:**

1. The grand jury realleges here the allegations of Counts Two, Three, Eight, Ten, Sixteen and Seventeen of this indictment for the purposes of alleging forfeiture pursuant to the provisions of Title 21, United States Code, Section 853.

2. As a result of the violations of Title 21, United States Code, Section 841(a)(1) charged in Counts Two, Three, Eight, Ten, Sixteen and Seventeen of this indictment, defendant

### **ERIC HARRIS**

shall forfeit to the United States of America all property which: 1) was used and intended to be used, in any manner and part, to commit and/or to facilitate the commission of the violations charged in these counts; and 2) constitutes and/or is derived from any proceeds obtained directly or indirectly by him from the distribution of a controlled substance, that is, cocaine base ("crack"), a Schedule II controlled substance, including but not limited to the following:

(1) \$3,738 in United States currency.

### SUBSTITUTE ASSETS

3. If any of the property described above as being subject to forfeiture, as a result of any act or omission of defendant **ERIC HARRIS**

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third party;
- (3) has been placed beyond the jurisdiction of the court;
- (4) has been substantially diminished in value; or

(5) has been commingled with other property which cannot be divided without difficulty; it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property.

All pursuant to Title 21, United States Code, Section 853.

## **NOTICE OF FORFEITURE**

### **THE GRAND JURY FURTHER CHARGES THAT:**

1. The grand jury realleges here the allegations of Counts Six, Seven, Nine, and Fifteen of this indictment for the purposes of alleging forfeiture pursuant to the provisions of Title 21, United States Code, Section 853.

2. As a result of the violation of Title 21, United States Code, Section 841(a)(1) charged in Counts Six, Seven, Nine, and Fifteen of this indictment, defendant

### **BRYANT YOUNGER**

shall forfeit to the United States of America all property which: 1) was used and intended to be used, in any manner and part, to commit and/or to facilitate the commission of the violations charged in these counts; and 2) constitutes and/or is derived from any proceeds obtained directly or indirectly by him from the distribution of a controlled substance, that is, cocaine base ("crack"), a Schedule II controlled substance, and marijuana, a Schedule I controlled substance, including but not limited to the following:

- (1) \$3,040 in United States currency; and
- (2) the real property at 3115 N. Croskey Street, Philadelphia.

### **SUBSTITUTE ASSETS**

3. If any of the property described above as being subject to forfeiture, as a result of any act or omission of defendant **BRYANT YOUNGER**

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third party;
- (3) has been placed beyond the jurisdiction of the court;

- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be divided without difficulty; it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property.

All pursuant to Title 21, United States Code, Section 853.



## **NOTICE OF FORFEITURE**

### **THE GRAND JURY FURTHER CHARGES THAT:**

1. The grand jury realleges here the allegations of Counts Eight, Ten and Eleven of this indictment for the purposes of alleging forfeiture pursuant to the provisions of Title 21, United States Code, Section 853.

2. As a result of the violations of Title 21, United States Code, Section 841(a)(1) charged in Counts Eight, Ten and Eleven of this indictment, defendant

### **DARNELL GASKINS**

shall forfeit to the United States of America all property which: 1) was used and intended to be used, in any manner and part, to commit and/or to facilitate the commission of the violations charged in these counts; and 2) constitutes and/or is derived from any proceeds obtained directly or indirectly by him from the distribution of a controlled substance, that is, cocaine base ("crack"), a Schedule II controlled substance, and marijuana, a Schedule I controlled substance, including but not limited to the following:

- (1) \$10,118 in United States currency;
- (2) the real property at 3122 N. Bancroft Street, Philadelphia;
- (3) a .38 caliber revolver, serial no. W335549; and
- (4) a .40 caliber semiautomatic pistol, serial no. SN012847.

### **SUBSTITUTE ASSETS**

3. If any of the property described above as being subject to forfeiture, as a result of any act or omission of defendant **DARNELL GASKINS**

- (1) cannot be located upon the exercise of due diligence;

- (2) has been transferred or sold to, or deposited with, a third party;
- (3) has been placed beyond the jurisdiction of the court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be divided without difficulty; it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property.

All pursuant to Title 21, United States Code, Section 853.

## **NOTICE OF FORFEITURE**

### **THE GRAND JURY FURTHER CHARGES THAT:**

1. The grand jury realleges here the allegations of Counts Six, Seven, Nine, Twelve, Thirteen and Fourteen of this indictment for the purposes of alleging forfeiture pursuant to the provisions of Title 21, United States Code, Section 853.

2. As a result of the violations of Title 21, United States Code, Section 841(a)(1) charged in Counts Six, Seven, Nine, Twelve, Thirteen and Fourteen of this indictment, defendants

**MICHAEL JONES,  
a/k/a “Robert Jones,” and  
DUANE JONES**

shall forfeit to the United States of America all property which: 1) was used and intended to be used, in any manner and part, to commit and/or to facilitate the commission of the violations charged in these counts; and 2) constitutes and/or is derived from any proceeds obtained directly or indirectly by him from the distribution of a controlled substance, that is, cocaine base (“crack”), a Schedule II controlled substance, and marijuana, a Schedule I controlled substance, including but not limited to the following:

- (1) \$1,538 in United States currency;
- (2) the real property at 119 E. Coulter Street, Philadelphia;.
- (3) 38 caliber David Inc. Model P380 semiautomatic pistol, serial no. AP366238; and
- (4) .40 caliber Taurus semiautomatic pistol, serial no. SVD73849.

### SUBSTITUTE ASSETS

3. If any of the property described above as being subject to forfeiture, as a result of any act or omission of defendants **MICHAEL JONES**, a/k/a “Robert Jones” and

**DUANE JONES**

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third party;
- (3) has been placed beyond the jurisdiction of the court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be divided without difficulty; it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property.

All pursuant to Title 21, United States Code, Section 853.

A TRUE BILL:

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FOREPERSON

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PATRICK L. MEEHAN  
United States Attorney